

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE LITIGATION

MDL No. 1456

THIS DOCUMENT RELATES TO:

CIVIL ACTION: 01-CV-12257-PBS

**BMS CLASS ACTIONS**

Judge Patti B. Saris

**NOTICE OF FILING UNDER SEAL**

To: All Counsel of Record

Please take notice that on August 4, 2009, we, as attorneys for Plaintiffs, caused to be filed under seal with the Clerk of the United States District Court for the District of Massachusetts the following items:

1. Exhibit E attached to the Settlement Agreement and Release of the BMS Group.

DATED: August 4, 2009.

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